

# Official Minutes for Webb County Commissioners Court Meeting

Monday, February 13, 2006 at 1:00 PM  
and continuing Tuesday, February 14, 2006 at 1:00 PM  
(Approved 02-27-2006)

- Item No. 1      Call to order by Judge Louis H. Bruni  
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cindy Cortez-Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 10<sup>th</sup> of February 2006. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2      Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3      Pledge of Allegiance – Led by All

- Item No. 4      Approval of minutes – January 9, 2006 and January 23, 2006

Cmr. Gutierrez requested that the minutes for January 23 reflect that the reason she left the meeting early was due to a prior commitment at City Hall.

Cmr. Gutierrez motioned to approve the minutes with the additions stated. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5      Approval of bills, payroll and monthly reports

Mr. Leo Flores, County Auditor, presented his monthly report ending January 31, 2006. He stated that page 20 showed a new revenue source for the Sheriff's Department from Corrections Corporation of America (CCA) which would now be paying Webb County \$1.00 per inmate per day that they are housed at CCA. He stated that page 23 showed the Sales Tax revenue but did not include \$1,436,000 received in January 2006. He stated that the Sales Tax revenue was over budget by

\$702,000. He requested that elected officials and department heads review all Requests for Payment submitted to be sure that they are not duplicates.

Cmr. Gutierrez motioned to accept the Auditor's Monthly report. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to move up Item No. 8. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 8      Presentation by Flite 1 Aviation, Inc. Air Medical on air ambulance services for Webb County.**

Mr. Scott Evans and Mr. Terry Cummings, Flite 1 Aviation, Inc., made a PowerPoint Presentation to the court regarding air ambulance services provided by their company. Mr. Evans stated that they are currently working on getting their licensing and certificates from the State to begin operations. Mr. Cummings stated that the helicopter will be based in Laredo but will also service Zapata County. He stated that they are working on getting additional helicopters to serve as back ups in the event that the primary helicopter is out at an accident site or being serviced. He stated that they will have a Learjet on call at the Laredo airport that would also be used as a backup. Mr. Evans stated that there are several resources in place to keep the company in Laredo and that they are also working on applying for grants to provide this service. He stated that they will be bringing in trained, experienced personnel to operate the air ambulance until local personnel can be hired, trained and certified. He stated that it would take approximately six weeks for their company to get the required certification to begin service in Laredo. He stated that Laredo will be the first area that they would service.

Judge Bruni requested a recess so that members of the court and those present could have an opportunity to look at the equipment provided by Flite 1 Aviation, Inc.

RECESS (1:55 PM to 2:20 PM)

Judge Bruni motioned to move up Item No. 9. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 9      Discussion and possible action to direct the Webb County Purchasing Agent to solicit requests for proposals by would be providers of air ambulance services for Webb County, and any other matters incident thereto.**

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion failed 2-3 with Judge Bruni, Cmr. Sciaraffa and Cmr. Cortez-Brunner voting against the item.

Cmr. Sciaraffa motioned to table Item No. 9. Cmr. Cortez-Brunner seconded the motion.

Motion carried 3-2 with Cmr. Gutierrez and Cmr. Garza voting against.

Cmr. Gutierrez stated that though she felt that Flite 1 Aviation, Inc. was a good company, she was concerned about not giving anyone else an opportunity to submit a proposal. She stated that they were shortchanging themselves by limiting themselves to one vendor.

## Item No. 6      Communications

Cmr. Gutierrez thanked the Texas Department of Transportation (TXDOT) for putting in the additional resources to add an additional turning lane at the City landfill and Flea Market entrances on Hwy 359. She stated that they moved very fast on this project and thanked them for their cooperation.

Cmr. Cortez-Brunner congratulated Ms. Penny Warren, Economic Development, for having her article published in the Texas Department of Parks and Wildlife newsletter.

Judge Bruni congratulated the Princess Pocahontas Pageant for a great event.

## Item No. 7      Public Comment

Mr. Anthony Martinez, Critical Care Director at Doctors Hospital, was present to address Item No. 8. He stated that he supports bringing in air ambulance service to Laredo. He stated that San Antonio has provided Air Ambulance services to the entire South Texas region. He stated that this should not be handled by a private company but should be dispatched by the Emergency Medical Services department (EMS).

Mrs. Margie Ramirez Ibarra, Webb County Clerk, was present to address Item No. 11. She stated that she received a letter for her to sign from the Webb County Appraisal District that would grant them authorization to access records. She stated that she forwarded the letter to the County Attorney's office and is waiting for a response. She requested that she be given an opportunity to receive an opinion from the County Attorney's office on this matter.

Mr. Sergio Delgado, Chief Appraiser, was present to address Item No. 11. He stated that they are requesting this information to be able to identify the most current owners of a property. He stated that this will not only help the Appraisal District but that they will be giving a copy of the entire project to Webb County. He stated that the court needed to understand the importance of the project. He stated that if they were not granted authority, they would have to stop the project and review their contract to see what how much more it would cost to get this information.

Cmr. Garza motioned to move up Item No. 11. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 11      Discussion and possible action to grant the Webb County Appraisal District permission to access Public County records for its on-going appraisal projects, and any other matters incident thereto.**

Mr. Sergio Delgado, Chief Appraiser, stated that the Webb County Appraisal District (WCAD) is working on several projects, including establishing ownership lines and aerial photography. He stated that he was requesting permission from the court to access records filed in the County Clerk's Office to create the ownership lines. He stated that WCAD has contracted with an affiliate company to Landata Technologies, Inc. (LTI), which was contracted by the County Clerk's Office. He stated that by allowing Stewart Geo Technologies, Inc. (SGTI) to access the County Clerk's records via LTI, it would expedite the project, save the WCAD money and the records being requested are public records. He stated that if this item is not approved, they would have to stop the project and review the contract to see what additional cost it would be to obtain the information through another manner.

Mrs. Margie Ramirez Ibarra, County Clerk, advised the court that with all due respect, she is the custodian of records and that nothing can be done without her authorization. She stated that this was the first that she had heard of the project and would like the opportunity to await a response from the County Attorney's office regarding the letter she was given by the WCAD as well as discuss this with Mr. Delgado. She stated that she was only given a letter from the WCAD that she was to sign but was not given any additional information. She stated that she was willing to work with Mr. Delgado. Ms. Patricia Barrera, Tax Assessor Collector, stated that she is a member of the WCAD Board and apologized to Mrs. Ibarra for not following protocol and addressing this issue with her first. Mr. Nathan Bratton, Assistant County Attorney, stated that his concern was whether the images being requested by the WCAD meet the statutory requirements of being the Official Public Records that Mrs. Ibarra is the statutory custodian of.

Cmr. Garza motioned to give preliminary authorization contingent on an agreement being reached between Mrs. Ibarra and Mr. Delgado. Cmr. Gutierrez seconded the motion.

Cmr. Sciaraffa stated that he agreed with Ms. Barrera and that Mrs. Ibarra should have been given the chance to discuss this issue before coming before the court.

Cmr. Gutierrez withdrew her second.

Cmr. Sciaraffa motioned to table this item. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-1 with Cmr. Garza voting against.

Mr. Delgado stated for the record that Mrs. Ibarra was advised of the project.

Item No. 7            Public Comment

Mr. Anthony Peterson was present to address Item No. 13 and No. 14. He stated that under Item No. 13, the library was long overdue and that it would facilitate learning for the residents. He thanked Cmr. Sciaraffa for getting this project off the ground. He stated that under Item No. 14, it was crucial for caseworkers to be certified in CPR in the event of an emergency.

Ms. Carol Sherwood, Habitat for Humanity, was present to address Item No. 37. She stated that she supported this item. She stated that her office has received \$510,000 and now has close to \$1 million from the construction of homes in this area.

Cmr. Gutierrez motioned to move up Item No. 37. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 37            Discussion and possible action to retain the services for the construction of a community park, Design Build proposal p-2006-10, Webb County Self-help Center Community Park. [Acct. No. 658-8103-8710-2]

Mr. Eloy Ramirez, Purchasing Agent, stated that his office received proposals from Turner, Hickey and Associates and from CG Construction. He stated that the Purchasing committee met and recommended CG Construction. He stated that the funding for this project would come from Cmr. Gutierrez's park fund. Cmr. Sciaraffa questioned why Design Build was chosen for this project since he has always been told not to use Design Build for his projects. Mr. Ramirez stated that Design Build was recommended and approved by the court on January 9. Mr. Carlos Villarreal, Executive Administrator, stated that Design Build is used only in extenuating circumstances since it is not the most cost effective. He stated that Competitive Bids are the best option to keep the cost down and feels that this project should have been handled differently. Cmr. Gutierrez stated that this project will enhance the lives of the residents of the community. She stated that many families will be moving to this area thanks to the Habitat for Humanity program.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Sherwood stated that many of their volunteers are ready and willing to help as much as they can on this project.

Item No. 7            Public Comment

Mr. Marcel Notzon, III, representing Mr. C.Y. Benavides, III was present to address the court. He stated that he is in the process of receiving information regarding the delinquent taxes allegedly owed by Mr. Benavides. He stated that he has not received any information from Webb County on what basis they are now including Mr. Benavides as an individual in the lawsuit filed by Webb County regarding delinquent taxes.

- Item No. 10      Announcement of date for groundbreaking for the Webb County Youth Village, status report on the same, with discussion and possible action for the Commissioners Court to take measures as necessary to facilitate said event, ensure its occurrence on a timely basis, instruct the Webb County Purchasing agent to publish a notice in a newspaper of general circulation of the event, and any other matters incident thereto.

Mr. Frank Rotnofsky and Mr. Quiroga of Frank Architects were present to address the court. Mr. Rotnofsky stated that they are currently at the Competitive Sealed Bid stage of the project. He stated that the proposals are due by February 22, 2006 at 2:00 PM. He stated that the groundbreaking is tentatively scheduled for sometime next week. Cmr. Gutierrez stated that she is happy to be breaking ground on this project since several sites have been looked at for this project and many issues have come up regarding this issue.

Judge Bruni motioned to publish a notice of the groundbreaking ceremonies in the local newspaper. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Quiroga stated that several elements of the building have been designated as alternates in the event that the project comes in under budget. Cmr. Gutierrez stated for the record that the JJAEP and Detox Unit were not a part of the original packet presented to and approved by the voters. Mr. Carlos Villarreal, Executive Administrator, stated that due to interest earned, the county will have approximately \$12 million to construct this building. Mr. Eloy Ramirez, Purchasing Agent, stated that he will post a notice of the groundbreaking in the newspaper as well as on Pro8 News as a Public Service Announcement. He asked the court what date and time the ceremony would be scheduled for.

The court recessed to consult their calendars for an appropriate date and time.

RECESS (3:25 PM to 3:49 PM)

Judge Bruni motioned to schedule the groundbreaking ceremony for Tuesday, February 28, 2006 at 11:00 AM. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 12      Discussion and possible action to request the Webb County Auditor to certify availability of funds and for the Commissioners Court to approve a change in personnel budget as follows: increase funding for slot #2297, Department #1044 (Justice of the Peace, Precinct 4) by an additional \$7,000.00 in order for that position to be commensurate with security posts in general in Webb County, with an adjusted hourly rate commensurate therewith, and any other matters incident thereto.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 13      Status report on the construction for library at El Cenizo, TX any matters incident thereto.

Mr. Carlos Villarreal, Executive Administrator, stated that they will be convening a meeting with ABC, Inc. and interested parties to discuss approaching the Bruni-Vergara Trust for possible additional funding of \$150,000. He stated that Mr. Quiroga, Frank Architects, will be doing the plans for the library pro-bono. He stated that a possible site has been recommended by ABC, Inc. but that they are looking at another site that is close to City Hall and the main area of the city. He stated that the court possibly look into including monies in the upcoming bond issuance for the purchase of books and computer equipment. Cmr. Gutierrez recommended that they also go before the Texas A & M Border Colonia Access program for possible funding. Cmr. Sciaraffa stated that this project needed to be expedited and requested that the Economic Development department search for any possible grants.

- Item No. 14      Discussion and possible action for CAA caseworkers at the neighborhood centers to become CPR certified.

Cmr. Cortez-Brunner stated that as a health care professional she felt that it was very important for center caseworkers to be CPR certified. She stated that this would affect 12 or 13 caseworkers and that as per Mr. Mike Kazen, CAA Director, the funding was available.

Cmr. Cortez-Brunner motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 15      Request to fill slot #2283 Secretary/Administrative Assistant.

Cmr. Garza motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 16      Status report by Webb County Tax Collection attorney's, Cavazos, Morales, Tijerina & Montemayor, L.L.P. regarding Ca. No. 2004 TXA446-D1, Webb County vs. Camino Columbia, et al., and any other matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).]

Item No. 17      Consideration and appropriate action for the Commissioners Court to approve requests from the Tax Assessor- Collector's Office, Dept.

0700: Refunds due as follows:

Killam Ranch Properties, Ltd

P.O. Box 499, Laredo, TX 78042-0499

Acct. #900-90291-049

Reason: Protest 2005-9266 Resolved 01-19-06; Split to 900-90291-066 & 067 for 2005

Total Refund: \$11,842.66

Killam Ranch Properties, Ltd

P.O. Box 499, Laredo, TX 78042-0499

Acct. #900-90291-055

Reason: Protest 2005-9267 Allow Agriculture Use Type I for 2005

Total Refund: \$2,209.28

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 18      Discussion and possible action to approve the following changes for Slot No. 0306 and 0314, effective February 13, 2006. The salary increase is equal to the salary decrease and the amount of personnel costs budgeted for fiscal year 2005-2006 remains unchanged.

SLOT NO.	FROM	TO
0314	\$12.86	\$10.86
0306	\$14.81	\$16.81

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 19      Discussion and possible action to amend the agreements with Trimble Navigation Limited through Geo-Shack, Inc. for:

Three (3) extended limited warranties for 4600 Receivers at ONE HUNDRED AND FIFTY DOLLARS (\$150.00) each to equal FOUR HUNDRED AND FIVE DOLLARS



010-102-6402 (Repairs and Maintenance Equipment)].



- Item No. 25      Discussion and possible action to approve a contract with the State of Texas Office of Rural Community Affairs for improvements to the Felix Vela Tract colonia in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) with an in-kind contribution from the Webb County Road and Bridge Department force account in the amount of FIFTY-EIGHT THOUSAND DOLLARS and ratifying the execution of said agreement as of May 13, 2005. [Economic Development Department]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Tomas Rodriguez, County Engineer, stated that this item is for the platting of the tract. He stated that the property was reclassified as a colonia 3-5 years ago. He stated that this would allow them to design the water and sewer connections and that the Economic Development department has already received a grant for \$500,000. Mr. Paul Martinez, Economic Development, stated that Mr. Juan Vargas, Director, was out of town and would be the one to be able to address this issue. Mr. Leo Flores, County Auditor, stated that some services have been performed by Foster Engineering that have yet to be paid. He stated that there are two pending invoices for \$10,000 and \$7,600 each. He stated that these invoices will be paid once the contract is received. Mr. Nathan Bratton, Assistant County Attorney, stated that the contract was approved and signed by the State and Foster Engineering in May but that it was not brought to the court.

Motion carried 5-0 by unanimous consent.

- Item No. 26      Discussion and possible action to enter into a (3) three year (February 13, 2006 through February 12, 2009) maintenance agreement with Nevill Business Machines, Inc. to service three copiers, Kyocera KM-8030, Kyocera KM-5530, and GEI 2900 Wide Format, located in the County Clerk's office at a maintenance fee of (\$0.00665) per copy for the Kyocera Copiers and (\$0.002) per linear foot for the GEI 2900 Wide Format, and authorizing the County Judge to sign all relevant documents. [Requested by Webb County Clerk; Account Number 001-1120-6014 (Equipment Rental)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Leo Flores, County Auditor, stated that the correct Account No. is 001-0500-6402.

- Item No. 27      Discussion and possible action to enter into a (10) ten month (January 4, 2006 through October 4, 2006) maintenance agreement with Nevill

Business Machines, Inc. to service a Mita KM-3530, located in the Constable Pct. #1 office at a maintenance fee of TWENTY-FIVE DOLLARS AND NO CENTS (\$25.00) per month and ONE AND ONE-QUARTER CENTS per copy after 2500 per month, and authorizing the County Judge to sign all relevant documents. [Requested by Rudy Rodriquez, Webb County Constable Pct. #1; Account Number 001-2500-6014 (Equipment Rental)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 28 Discussion and possible action to enter into An Equipment Lease Purchase Agreement with Government Capital Corporation for three (3) Digital Copiers and accessories to be located at the Webb County Clerk's Office for a (36) month period in the amount of (37,790.00) and authorizing the County Judge to sign all relevant documents. [Requested by Webb County Clerk]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 29 Discussion and possible action to accept one right of way, out of San Carlos Phase II Subdivision, 3 rights-of-way out of Los Minerales Annex Subdivision, 2 rights of way out of Penitas West Subdivision, 2 rights of way out of Los Centenarios Subdivision, and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 30 Discussion and possible action for approval to accept the initial allocation from the Texas Department of Housing & Community Affairs (TDHCA), for the Community Services Block Grant (CSBG) for FY 2006, in the amount of \$50,610.00 and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 31      Discussion and possible action to submit application to United Way, for the Emergency Food & Shelter Program Phase # 24, FY- 2006, in the amount of \$34,050.00.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32      Discussion and possible action to approve the Memorandum of Agreement with Corporation for National Community Service Ameri-Corps VISTA in the amount of \$237,652 (Two Hundred Thirty-Seven Thousand, Six Hundred Fifty Two) grant monies and \$13,125 (Thirteen Thousand, One Hundred Twenty-Five) In-kind for a total amount of \$250,777 (Two Hundred Fifty Thousand, Seven Hundred Seventy-Seven) for the purpose in hiring fifteen Ameri-Corps Vista members during the calendar year of 2006, no cash match will be required.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 33      Discussion and possible action to accept recommendations from the Webb County Housing Rehabilitation Scoring Committee on the following eligible applicants to receive assistance under the Self-Help Center Housing Rehabilitation Program: Mrs. Maria Gutierrez, Mr. Pedro Arispe and Mrs. Mary H. Stringle of Colonia Los Altos, Ms. Amelia Juarez and Mr. Javier De Hoyos of Colonia San Enrique and the authorization for the purchasing agent to solicit proposals for the rehabilitation of these two homes. [Account # 506-6500-7037-3]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Mr. Paul Martinez, Economic Development, requested that the court defer approval for Mr. Pedro Arispe and Ms. Amelia Juarez since their applications are still being reviewed.

Cmr. Sciaraffa amended his motion to include deferring approval for Mr. Pedro Arispe and Ms. Amelia Juarez. Cmr. Garza amended his second.

Motion carried 5-0 by unanimous consent.

Item No. 34      Discussion and possible action to authorize and approve a Mobile Temporary Branch Early Voting Polling Site at the Laredo Firefighters Union Hall located at 5219 Tesoro Plaza Dr. to replace the Laredo Job Corps Center for the March 7, 2006 Primary Elections, Pursuant to Section 85, Texas Election Code.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 35      Discussion and Possible Action Authorizing Change Order No. 4 to Gilbert Texas Construction, Inc. in the amount of \$17,996.00 to their contract for the TXDOT Border Colonias Access Program Rio Bravo Paving Project Phase II. This will increase their contract from \$753,836.50 to \$771,832.50.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36      Discussion and possible action to fill slot #1240, (Administrative Assistant) from within the County up to \$15.31 hourly effective February 13, 2006.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Mr. Frank X. Salinas, CIHCP Director, stated that the maximum amount would be \$15.31 depending on experience.

Motion carried 5-0 by unanimous consent.

Item No. 38      Discussion and possible action to purchase three (3) vehicles for the District Attorney's Office in the amount of \$66,955.74 through the Houston Galveston Area Council State Contract No. VE 10-03 from Classic Chevrolet Beaumont (169-1100-8801)

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39      Discussion and possible action to solicit bids for heating and cooling appliances ;and contractors to provide, repair, replace, or retrofit of central heating/cooling unit systems (central air) for the Webb County Community Action Agency Comprehensive Energy Assistance Program (CEAP).
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 41      Discussion and possible action to authorize the purchasing agent to solicit bids for the sale of pre-bagged shredded paper from the records management department.
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 40      Discussion and possible action to purchase aluminized corrugated metal pipe from Contech Construction in the amount of \$12,716.00 for the Road and Bridge Department. (274-8001-8801-14)
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 42      Discussion and possible action to authorize the purchasing agent to purchase four (4) computer systems from Valcom Computer in the amount of \$8,806.80 for the Justice of the Peace Pct. 1 pl. 1. (016-1040-8801)
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 43      Discussion and possible action to rescind the order to sell one (1) Cummings 1400 series shredder to Boston Paper Company and sell the shredder to Border Shredders, Inc. in the amount of \$500.00 for the records management department. Pursuant to subchapter d. Disposition of salvage or surplus property, Section 263.151 thru 263.158, Texas Local Government Code.

Cmr. Gutierrez motioned to rescind the order to sell the shredder to Boston Paper Company. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to sell the shredder to Border Shredders, Inc. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 44 Discussion and possible action to purchase two (2) freezer units from CMF Corporation in the amount \$21,022.00 for the Webb County Morgue. [676-8101-8601]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that these refrigeration units would be used for the transportation of bodies to Bexar County for autopsies.

Motion carried 5-0 by unanimous consent.

Item No. 45 Discussion and possible action to terminate the Housing Rehabilitation Contract with Two Sons Construction for the home of Clarita Ramos, 1733 Patricia Lane, Rio Bravo, Texas for failure of the contractor to complete the work specified with the allotted time period. (Webb County-Self Help Department)

Mr. Eloy Ramirez, Purchasing Agent, stated that this item was already acted on at a previous meeting.

Cmr. Gutierrez motioned to table Item No. 45. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 46 Discussion and possible action to transfer and dispose of surplus property Pursuant to Chapter D Disposition of Salvage or Surplus Property, Sections 263.151 thru 263.158.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.



Item No. 47      Discussion and possible action to request a title change for slot #1381 from Safety/Claims Coordinator to Employee Benefits Coordinator.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 48      Discussion and possible action to authorize the Risk Management Department to fill vacant full time position, Slot #874, Special Projects Coordinator, effective February 13, 2006.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Cynthia Mares, Risk Manager, stated that the starting pay was \$10.00 but could go higher depending on experience.

Item No. 49      Discussion and possible action to request a title change for slot #2123 from Employee Benefits Coordinator to Safety/Claims Coordinator.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 50      Discussion and possible action authorizing Dept. 0108, Road & Bridge Motorpool to fill the following slots:

Slot 062	TIRE REPAIRMAN	9.46 per hour
Slot 061	MECHANIC	` 11.12 per hour

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 51      Discussion and possible action regarding grievance of former Facilities Department employee, Fernando Gonzalez, Jr. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).]

Mr. Nathan Bratton, Assistant County Attorney, stated that the Grievance Committee recommended that Mr. Gonzalez's slot not be filled and that he be reinstated to his previous position with no loss of Sick Leave or Personal Holidays accrued. He stated that his reinstatement would be contingent on Mr. Gonzalez receiving a Physician's

release to return to work. Mr. Bratton recommended that Mr. Gonzalez consult with an independent physician (to be paid by Webb County) and that he be given a release to return to work from that physician as well.

Cmr. Sciaraffa motioned to accept the Grievance Committee's recommendation of reinstatement as well as the County Attorney's recommendation that Mr. Gonzalez obtain a medical release from both his physician and an independent physician to be paid by Webb County. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 52      Discussion and possible action regarding grievance of former Management Information Services Director Paul de la Peña. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).]

Mr. Nathan Bratton, Assistant County Attorney, advised the court that the Grievance Committee did not have a recommendation on this grievance. He stated that the court can uphold the termination, rescind the termination or take no action.

There was no action taken by the court.

- Item No. 53      Discussion and possible action regarding outstanding electric bills for meters associated with Webb County accounts in the area of Lake Casa Blanca including authorization to pay electricity providers and to seek reimbursement from responsible parties. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).]

Mr. Nathan Bratton, Assistant County Attorney, recommended paying the outstanding balance and authorizing the County Attorney to issue demand letters for the monies owed by responsible parties. He also requested that the Purchasing Agent be instructed to issue a disconnect notice for non-county meters.

Cmr. Sciaraffa motioned to accept the County Attorney's recommendations. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 54      Discussion and possible action concerning Civil Action No. 05:06cv01; Jose M. Rodriguez, III, vs. Webb County, Texas and Juan Garza, Former Sheriff, Individually; In the United States District Court for the Southern District of Texas, Laredo Division; including but not limited to action to retain one or more attorneys to represent former Webb County Sheriff Juan Garza and/or Webb County pursuant to Texas Local Government Code section 157.901.[Executive Session is

requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

Judge Bruni motioned to retain outside counsel for this matter. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

RECESS (5:20 PM to 5:35 PM)

Addendum  
Item No. 1

Presentation of a proposal by Texas A & M International University to establish a thirty-month pilot program partnering with Webb County (and the Villa Antigua Project) to include the historic Casa Ortiz as an International Cultural Center in downtown Laredo to foster and promote the historic, linguistic and cultural heritage of the Laredo border region y creating various programs (including but not limited to a Language Resource Center, South Texas Writing Project, Exhibition Programs, Brown Bag Lunch Series, Lecture Series, Political Forum Series) and discussion and possible action to authorize County representatives (Hon. Homero Ramirez, Webb County Attorney, Mr. Carlos Villarreal, Commissioners Court Administrator, Mr. Raul Casso, Chief of Staff and other County personnel as deemed necessary) to open negotiations with the owners of Casa Ortiz for the lease of the premises and to work with TAMIU to prepare interlocal and/or partnering agreements and designating funding for FY 2005-2006 from Acct. No. 658-8103-8710-2 to implement the International Cultural Center Project and any matters incident thereto.

Dr. Ray M. Keck, III, TAMIU President, was present to address the court. He was accompanied by Dr. Ellen Barker, Associate Professor and Director of Composition, Dr. Kati Pletsch de Garcia, Associate Professor of English and Spanish and Mr. Jose Garcia, Vice President of Finance and Administration. Dr. Keck thanked the court for their continued support and work towards restoring, preserving and enhancing the historical landmarks of Laredo. He stated that the home in question was built in the 18<sup>th</sup> century and is the only one like it that has survived. He stated that they plan on housing several university programs throughout the house and they are requesting the court's assistance in implementing this as a pilot program. He stated that the home is perfectly preserved and the owners are willing to move out and leave most of the furniture. Dr. Pletsch de Garcia stated that this program would be modeled after the "Casa de la Cultura" with a broadened scope to include all the international cultures found in Laredo. Dr. Keck stated that they are not simply asking the court to help them build a museum but that their vision is much broader than that. He stated that this would play an important role in the growth of the University. Cmr. Gutierrez stated that this project will positively affect the education, heritage and

culture of Webb County and the City of Laredo. She stated that the court owed this to the residents of Webb County to restore these historical buildings and emphasize the culture of Laredo. She stated that this program promises a lot for this community and will have bigger results than any individual court member would. She stated that she would commit the first \$50,000 from her discretionary funds for this project. Dr. Keck stated that the total cost for this pilot program would be \$1.5 million over a period of 30 months. He stated that TAMIU had already dedicated \$1 million and they are asking for the county to pledge the additional \$500,000 needed as part of the county's Villa Antigua Project. He stated that they will be going to the City of Laredo for possible sponsorship of the program after the completion of the pilot program. Cmr. Gutierrez advised the court that the construction of the museum under the Villa Antigua program is currently underway and the monies allotted by Webb County have already been spent. Ms. Elizabeth Araiza, Webb County Heritage Foundation, stated that the foundation was poured this afternoon and the entire roof has been removed. She stated that the project experienced some delays due to archeological findings and structural concerns that arose unexpectedly. She stated that the exterior restoration should be completed by Fall 2006 which was funded entirely by Webb County. She stated that IBC has pledged \$100,000 in funding for the parking facility and the City pledged \$50,000 along with other entities for the interior restoration work. Cmr. Garza stated that this is not only for cultural improvement but for the educational advancement that has been long overdue in this underserved community. He stated that the presence of these professors shows their dedication and commitment to this project. He hoped that the court could support this project since it will also have an economical impact on Webb County. He stated that he has full faith in this project and he pledged \$25,000 from his discretionary funds. Judge Bruni stated that he supported the project but was concerned about locating the funding necessary.

Cmr. Gutierrez motioned to approve this item as presented and dedicate \$50,000 from her discretionary funds for this project (Acct. No. 658-8103-8710-2). Cmr. Garza seconded the motion and dedicated \$25,000 from his discretionary funds.

Cmr. Cortez-Brunner stated that she would like to visit the home in question as well as have a chance to review the project and bring the item back at a future meeting. Mr. Carlos Villarreal, Executive Administrator, recommended approving the project in principle. He stated that he would like to meet with the owners of the home as well as with TAMIU to be able to negotiate a lease agreement. Dr. Keck stated that they were open to negotiations and advised the court that nothing has been finalized.

Motion carried 5-0 by unanimous consent.

## Item No. 55      Adjournment

Cmr. Garza motioned to adjourn the meeting. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.